



OPEN MEETING AGENDA ITEM

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BEFORE THE ARIZONA CORPORATION COMMISSION

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AZ CORP COMMISSION
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3 Mike Gleason, Chairman
4 William A. Mundell
5 Jeff Hatch-Miller
6 Kristin K. Mayes
7 Gary Pierce


8 **IN THE MATTER OF THE**
9 **APPLICATION**
10 **OF ARIZONA SOLAR ONE, LLC IN**
11 **CONFORMANCE WITH THE**
12 **REQUIREMENTS OF ARIZONA**
13 **REVISED STATUTES §§ 40-360.03 AND**
14 **40-360.06, et seq. FOR A CERTIFICATE**
15 **OF ENVIRONMENTAL**
16 **COMPATABILITY AUTHORIZING**
17 **CONSTRUCTION OF THE SOLANA**
18 **GENERATING STATION, LOCATED**
19 **IN SECTION 9, TOWNSHIP 6 SOUTH,**
20 **RANGE 7 WEST, MARICOPA COUNTY**
21 **ARIZONA.**

DOCKET NO. L- 00000GG-08-0407-00139

CASE NO. 139

Arizona Corporation Commission
DOCKETED

NOV 25 2008

DOCKETED BY 

13 **IN THE MATTER OF THE**
14 **APPLICATION OF ARIZONA SOLAR**
15 **ONE, LLC IN CONFORMANCE WITH**
16 **THE REQUIREMENTS OF ARIZONA**
17 **REVISED STATUTES §§ 40-360, et seq.,**
18 **FOR A CERTIFICATE OF**
19 **ENVIRONMENTAL COMPATIBILITY**
20 **AUTHORIZING THE CONSTRUCTION**
21 **OF THE SOLANA GEN-TIE, WHICH**
22 **ORIGINATES AT THE SOLANA**
23 **GENERATING STATION, LOCATED**
24 **IN MARICOPA COUNTY, AND**
25 **TERMINATES AT THE PANDA 230 kV**
26 **SUBSTATION, LOCATED IN GILA**
27 **BEND, ARIZONA.**

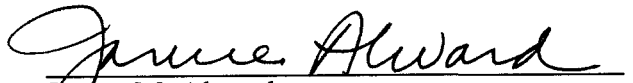
DOCKET NO. L-00000GG-08-0408-00140

CASE NO. 140

NOTICE OF FILING SAMPLE FORMS
OF ORDER FOR SOLANA GEN-TIE,
CASE NO. 140

22 Pursuant to A.R.S. § 40-360.07, the Commission has the authority to confirm, deny or modify
23 a Certificate of Environmental Compatibility ("CEC") issued by the Siting Committee. The
24 Commission's Legal Division hereby submits sample forms of order for the Commission's
25 convenience when considering the Siting Committee's decision in the above-captioned matter. One
26 sample order approves the Siting Committee's decision as it was issued by the Siting Committee.
27 The second sample order is in a format for Commission modifications to the Siting Committee's
28 decision. The third sample order is in a format denying the Siting Committee's decision.

1 RESPECTFULLY SUBMITTED this 25th day of November, 2008.

2
3 
4 Janice M. Alward
5 Arizona Corporation Commission
6 1200 West Washington Street
7 Phoenix, Arizona 85007
8 (602) 542-3402

9 **Original and twenty-five (25)**
10 **copies of the foregoing filed this**
11 **25th day of November, 2008 with:**

12 Docket Control
13 Arizona Corporation Commission
14 1200 West Washington Street
15 Phoenix, Arizona 85007

16 **Copies of the foregoing**
17 **mailed this 25th day of**
18 **November, 2008 to:**

19 John Foreman, Chairman
20 Arizona Power Plant & Line Transmission Siting Committee
21 Office of the Attorney General
22 1275 West Washington Street
23 Phoenix, Arizona 85007

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26
27 By 
28

1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 **COMMISSIONERS**

3 Mike Gleason, Chairman
4 William A. Mundell
5 Jeff Hatch-Miller
6 Kristin K. Mayes
7 Gary Pierce

8 **IN THE MATTER OF THE APPLICATION**
9 **OF ARIZONA SOLAR ONE, LLC IN**
10 **CONFORMANCE WITH THE**
11 **REQUIREMENTS OF ARIZONA REVISED**
12 **STATUTES §§ 40-360.03 AND 40-360.06, et**
13 **seq. FOR A CERTIFICATE OF**
14 **ENVIRONMENTAL COMPATABILITY**
15 **AUTHORIZING CONSTRUCTION OF THE**
16 **SOLANA GENERATING STATION,**
17 **LOCATED IN SECTION 9, TOWNSHIP 6**
18 **SOUTH, RANGE 7 WEST, MARICOPA**
19 **COUNTY ARIZONA.**

DOCKET NO. L- 00000GG-08-0407-00139

CASE NO. 139

20 **IN THE MATTER OF THE APPLICATION**
21 **OF ARIZONA SOLAR ONE, LLC IN**
22 **CONFORMANCE WITH THE**
23 **REQUIREMENTS OF ARIZONA REVISED**
24 **STATUTES §§ 40-360, et seq., FOR A**
25 **CERTIFICATE OF ENVIRONMENTAL**
26 **COMPATIBILITY AUTHORIZING THE**
27 **CONSTRUCTION OF THE SOLANA GEN-**
28 **TIE, WHICH ORIGINATES AT THE**
SOLANA GENERATING STATION,
LOCATED IN MARICOPA COUNTY, AND
TERMINATES AT THE PANDA 230 kV
SUBSTATION, LOCATED IN GILA BEND,
ARIZONA.

DOCKET NO. L- 00000GG-08-0407-00140

CASE NO. 140

DECISION NO. _____
for GEN-TIE, Case No. 140

*(Sample Form of Order Granting CEC as
Issued by the Siting Committee)*

23 The Arizona Corporation Commission ("Commission") has conducted its review,
24 pursuant to A.R.S. § 40-360.07. The Commission finds and concludes that the Certificate of
25 Environmental Compatibility ("CEC") issued by the Arizona Power Plant and Transmission Line
26 Siting Committee ("Committee") is hereby granted by this Order.

27 The Commission further finds and concludes that: (1) the Project is in the public interest
28 because it aids the state in meeting the need for an adequate, economical and reliable supply of

1 electric power; (2) in balancing the need for the Project with its effect on the environment and
2 ecology of the state, the conditions placed on the CEC by the Committee effectively minimize its
3 impact on the environment and ecology of the state; (3) the conditions placed on the CEC by the
4 Committee resolve matters concerning the need for the Project and its impact on the environment
5 and ecology of the state raised during the course of proceedings, and as such, serve as the
6 findings on the matters raised; and (4) in light of these conditions, the balancing in the broad
7 public interest results in favor of granting the CEC.

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1 **THE CEC ISSUED BY THE SITING COMMITTEE IS**
2 **INCORPORATED HEREIN AND IS APPROVED BY ORDER OF THE**
3 **ARIZONA CORPORATION COMMISSION**
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6 _____
7 CHAIRMAN

6 _____
7 COMMISSIONER

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10 COMMISSIONER

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10 COMMISSIONER

9 _____
10 COMMISSIONER

11 IN WITNESS WHEREOF, I BRIAN C. McNEIL,
12 Executive Director of the Arizona Corporation
13 Commission, have hereunto, set my hand and caused the
14 official seal of this Commission to be affixed at the
15 Capital, in the City of Phoenix, this _____ day of
16 _____ 2008.

17 _____
18 BRIAN C. McNEIL
19 Executive Director

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21 DISSENT: _____

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23 DISSENT: _____
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BEFORE THE ARIZONA CORPORATION COMMISSION

COMMISSIONERS

Mike Gleason, Chairman
William A. Mundell
Jeff Hatch-Miller
Kristin K. Mayes
Gary Pierce

**IN THE MATTER OF THE APPLICATION
OF ARIZONA SOLAR ONE, LLC IN
CONFORMANCE WITH THE
REQUIREMENTS OF ARIZONA REVISED
STATUTES §§ 40-360.03 AND 40-360.06, *et*
seq. FOR A CERTIFICATE OF
ENVIRONMENTAL COMPATABILITY
AUTHORIZING CONSTRUCTION OF THE
SOLANA GENERATING STATION,
LOCATED IN SECTION 9, TOWNSHIP 6
SOUTH, RANGE 7 WEST, MARICOPA
COUNTY ARIZONA.**

DOCKET NO. L- 00000GG-08-0407-00139
CASE NO. 139

**IN THE MATTER OF THE APPLICATION
OF ARIZONA SOLAR ONE, LLC IN
CONFORMANCE WITH THE
REQUIREMENTS OF ARIZONA REVISED
STATUTES §§ 40-360, *et seq.*, FOR A
CERTIFICATE OF ENVIRONMENTAL
COMPATIBILITY AUTHORIZING THE
CONSTRUCTION OF THE SOLANA GEN-
TIE, WHICH ORIGINATES AT THE
SOLANA GENERATING STATION,
LOCATED IN MARICOPA COUNTY, AND
TERMINATES AT THE PANDA 230 kV
SUBSTATION, LOCATED IN GILA BEND,
ARIZONA.**

DOCKET NO. L-00000GG-08-0408-00140
CASE NO. 140

**DECISION NO. _____
for GEN-TIE, Case No. 140**

Sample Order Modifying CEC

The Arizona Corporation Commission ("Commission") has conducted its review,
pursuant to A.R.S. § 40-360.07. The Commission finds and concludes that the Certificate of
Environmental Compatibility ("CEC") issued by the Arizona Power Plant and Transmission Line
Siting Committee ("Committee") is hereby granted as modified by this Order.

...
...

1 The Commission modifies the CEC to add the following condition(s):

2 The Commission further finds and concludes that: (1) the Project is in the public interest
3 because it aids the state in meeting the need for an adequate, economical and reliable supply of
4 electric power; (2) in balancing the need for the Project with its effect on the environment and
5 ecology of the state, the conditions placed on the CEC by the Committee as modified by the
6 Commission effectively minimize its impact on the environment and ecology of the state; (3) the
7 conditions placed on the CEC by the Committee as modified by the Commission resolve matters
8 concerning the need for the Project and its impact on the environment and ecology of the state
9 raised during the course of proceedings, and as such, serve as the findings on the matters raised;
10 and (4) in light of these conditions, the balancing in the broad public interest results in favor of
11 granting the CEC as modified by the Commission.

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1 **THE CEC ISSUED BY THE SITING COMMITTEE IS**
2 **INCORPORATED HEREIN AND IS APPROVED AS MODIFIED BY THE**
3 **COMMISSION BY ORDER OF THE**
4 **ARIZONA CORPORATION COMMISSION**
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7 _____
8 CHAIRMAN COMMISSIONER COMMISSIONER
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10 _____
11 COMMISSIONER COMMISSIONER

12 IN WITNESS WHEREOF, I BRIAN C. McNEIL,
13 Executive Director of the Arizona Corporation
14 Commission, have hereunto, set my hand and caused the
15 official seal of this Commission to be affixed at the
16 Capital, in the City of Phoenix, this _____ day of
17 _____ 2008.

18 _____
19 BRIAN C. McNEIL
20 Executive Director

21
22 DISSENT: _____

23
24 DISSENT: _____
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1 **BEFORE THE ARIZONA CORPORATION COMMISSION**

2 **COMMISSIONERS**

3 Mike Gleason, Chairman
4 William A. Mundell
5 Jeff Hatch-Miller
6 Kristin K. Mayes
7 Gary Pierce

8 **IN THE MATTER OF THE APPLICATION
9 OF ARIZONA SOLAR ONE, LLC IN
10 CONFORMANCE WITH THE
11 REQUIREMENTS OF ARIZONA REVISED
12 STATUTES §§ 40-360.03 AND 40-360.06, *et*
13 *seq.* FOR A CERTIFICATE OF
14 ENVIRONMENTAL COMPATABILITY
15 AUTHORIZING CONSTRUCTION OF THE
16 SOLANA GENERATING STATION,
17 LOCATED IN SECTION 9, TOWNSHIP 6
18 SOUTH, RANGE 7 WEST, MARICOPA
19 COUNTY ARIZONA.**

DOCKET NO. L- 00000GG-08-0407-00139

CASE NO. 139

20 **IN THE MATTER OF THE APPLICATION
21 OF ARIZONA SOLAR ONE, LLC IN
22 CONFORMANCE WITH THE
23 REQUIREMENTS OF ARIZONA REVISED
24 STATUTES §§ 40-360, *et seq.*, FOR A
25 CERTIFICATE OF ENVIRONMENTAL
26 COMPATIBILITY AUTHORIZING THE
27 CONSTRUCTION OF THE SOLANA GEN-
28 TIE, WHICH ORIGINATES AT THE
SOLANA GENERATING STATION,
LOCATED IN MARICOPA COUNTY, AND
TERMINATES AT THE PANDA 230 kV
SUBSTATION, LOCATED IN GILA BEND,
ARIZONA.**

DOCKET NO. L- 00000GG-08-0408-00140

CASE NO. 140

DECISION NO. _____
for GEN-TIE, Case No. 140

*(Sample Form of Order Denying CEC as
Issued by the Siting Committee)*

21 The Arizona Corporation Commission ("Commission") has conducted its review, pursuant to
22 A.R.S. § 40-360.07. Pursuant to A.R.S. § 40-360.07(B), the Commission, in compliance with
23 A.R.S. § 40-360.06 and in balancing the broad public interest, the need for an adequate,
24 economical and reliable supply of electric power with the desire to minimize the effect thereof on
25 the environment and ecology of this state, finds that the above-captioned Application for a
26 Certificate of Environmental Compatibility ("CEC") for siting approval is hereby denied....

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1 The Commission further finds and concludes that in balancing the broad public interest
2 under A.R.S. § 40-360.07(B) in this matter:

- 3 1. the evidence in the record is not sufficient to weigh the balancing of the public interest
4 in favor of granting a CEC in this matter when all the factors set forth in A.R.S. §
5 40-360.06 are considered along with need for an adequate economical, and reliable
6 supply of electric power;
- 7 2. the conditions placed upon CEC by the Arizona Power Plant and Transmission Line
8 Siting Committee ("Siting Committee") are not sufficient to weigh the balancing of
9 the public interest in favor of granting a CEC in this matter when all the factors set
10 forth in A.R.S. § 40-360.06 are considered along with the need for an adequate,
11 economical, and reliable supply of electric power;
- 12 3. the record compels balancing the competing public interests in favor of protection of
13 the environment and ecology of the State of Arizona by denying Applicant a
14 Certificate of Environmental Compatibility;
- 15 4. the CEC issued by the Siting Committee should not be confirmed and approved by the
16 Commission; and
- 17 5. the Commission's findings 1 through 4 above serve as the Commission's findings of
18 fact and conclusions of law in reaching its decision.

19 Therefore, the Commission further finds and concludes that the CEC issued by the Siting
20 Committee is hereby denied by this Order; and, the above-captioned Application for a CEC is hereby
21 denied by this Order.

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COMMISSIONER

COMMISSIONER

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DISSENT: _____